

1  
2  
3  
4  
5  
6  
7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
10

11 DANNIE RAY HILLHOUSE,

12 Petitioner,

13 vs.

14 KEVIN CHAPPELL,

15 Respondent.  
16 \_\_\_\_\_/

No. CIV S-03-0142-MCE-CMK

DEATH PENALTY CASE

ORDER

17 Petitioner, a state prisoner proceeding with appointed counsel, seeks a writ of  
18 habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is Petitioner's motion to  
19 expand the record (Doc. 230). A telephonic hearing was held on January 23, 2013.

20 The motion was unopposed in so far as petitioner is requesting to expand the  
21 record to include exhibits which are part of the State court record. The only area of contention is  
22 respondent's request to reserve all other objections. There are, however, no objections currently  
23 before the court to evaluate. The court will delay ruling on any objection to the evidence until  
24 such time as an actual objection is raised.

25 ///

26 ///

1                   Accordingly, IT IS HEREBY ORDERED that petitioner's motion to expand the  
2 record (Doc. 230) is granted.

3  
4                   DATED: January 24, 2013

5                     
6                   \_\_\_\_\_  
7                   **CRAIG M. KELLISON**  
8                   UNITED STATES MAGISTRATE JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26